

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**JACK STEPHEN PURSLEY,  
AKA STEVE PURSLEY,  
Defendant.**

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**CRIMINAL NO. 4:18-CR-575  
(HUGHES)**

**APPLICATION FOR IMMUNITY ORDER**

The United States of America, by Ryan Patrick, United States Attorney for the Southern District of Texas, respectfully applies to this Honorable Court, pursuant to 18 U.S.C. §§ 6001 to 6004, to enter an Order requiring Kerry Smith to give testimony and to provide other information in any further proceedings before or ancillary to this Court, including any deposition or criminal trial. In support of this application, the Government states the following:

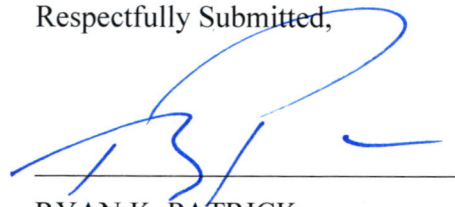
1. In accordance with 18 U.S.C. §§ 6002 and 6003, the United States makes this application with the approval of Stuart M. Goldberg, Acting Deputy Assistant Attorney General, Tax Division, United States Department of Justice, as shown by the attached letter. The Criminal Division, United States Department of Justice, has no objection to the proposed grant of immunity.

2. In further accordance with 18 U.S.C. § 6003, the United States makes this application because, in my judgment, (1) the testimony and other information from Kerry Smith at a proceeding before or ancillary to this Court is, or may be, necessary to the public interest; and (2) Ms. Smith is likely to refuse to testify or to provide other information on the basis of her privilege against self-incrimination.

The United States asks that this Court enter an order requiring Kerry Smith to testify at her deposition or any further proceedings before or ancillary to this Court, subject to the provisions, specified in 18 U.S.C. § 6002, that no testimony or other information compelled under this order (or any information derived directly or indirectly from such testimony or other information) may be used against her in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order.

DATED: January 28, 2019

Respectfully Submitted,



RYAN K. PATRICK  
United States Attorney  
Southern District of Texas  
1000 Louisiana St.  
Suite 2300  
Houston, TX 77002  
Office: 713-567-9000  
Fax: 713-718-3300

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 28, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

By: /s/ Nanette L. Davis  
Nanette L. Davis, Senior Litigation Counsel  
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Grace E. Albinson, Trial Attorney  
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Washington, DC 20004  
(202) 514-8030/616-3311/353-7580

## Attachment A



U. S. Department of Justice

Tax Division

Deputy Assistant Attorney General

Washington, D.C. 20530

SMG:SJO:lsb  
5-74-15192  
2018201553

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Ryan K. Patrick, Esquire  
United States Attorney  
Southern District of Texas  
1000 Louisiana Street  
Suite 2300  
Houston, TX 77002

Attn: Jack A. Morgan

*In re: United States v. Jack Stephen Pursley*

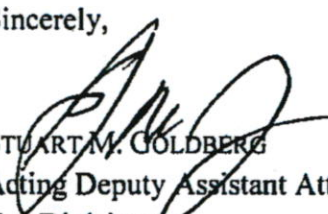
Dear Mr. Patrick:

Reference is made to the request seeking approval for you to apply, pursuant to 18 U.S.C. § 6003, for an order compelling testimony and the production of information by witness Kerry Anne Smith, a prospective witness in the above-captioned proceeding, the subject matter of which is within the cognizance of the Tax Division.

In accordance with the authority provided in 18 U.S.C. § 6003, and 28 C.F.R. § 0.175(b), a determination has been made to approve your making the application requested. The Criminal Division has advised that it has no objection to the proposed grant of immunity.

Accordingly, you are hereby authorized to make an application, pursuant to 18 U.S.C. § 6003, for an order compelling the above-named witness to produce information in the above matter and in any further proceedings resulting therefrom or ancillary thereto, in accordance with the provisions of 18 U.S.C. § 6002(1).

Sincerely,

  
STUART M. GOLDBERG  
Acting Deputy Assistant Attorney General  
Tax Division